
By: **Delegates Kelly, Owings, Edwards, McKee, Myers, and Shank**
Introduced and read first time: January 30, 2003
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Employees - Department of Public Safety and Correctional Services**
3 **and the Department of State Police - Denial of Employment**

4 FOR the purpose of requiring the Department of Public Safety and Correctional
5 Services and the Department of State Police to provide certain information to an
6 applicant for employment who is denied employment based, in whole or in part,
7 on information contained in a report resulting from a search of federal, state, or
8 local criminal justice records; and generally relating to applicants for State
9 employment.

10 BY adding to
11 Article - Correctional Services
12 Section 2-119
13 Annotated Code of Maryland
14 (1999 Volume and 2002 Supplement)

15 BY adding to
16 Article - Public Safety
17 Section 2-402(c)
18 Annotated Code of Maryland
19 (As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of
20 2003)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Correctional Services**

24 2-119.

25 IF AN APPLICANT FOR EMPLOYMENT WITH THE DEPARTMENT IS DENIED
26 EMPLOYMENT BASED, IN WHOLE OR IN PART, ON INFORMATION CONTAINED IN A
27 REPORT RESULTING FROM A SEARCH OF NATIONAL, STATE, OR LOCAL CRIMINAL
28 JUSTICE RECORDS, THE DEPARTMENT, ON REQUEST OF THE APPLICANT, SHALL

1 PROVIDE TO THE APPLICANT A WRITTEN STATEMENT OF THE SPECIFIC
2 INFORMATION FROM THE REPORT ON WHICH THE EMPLOYMENT DECISION WAS
3 BASED.

4

Article - Public Safety

5 2-402.

6 (C) IF AN APPLICANT FOR EMPLOYMENT WITH THE DEPARTMENT IS DENIED
7 EMPLOYMENT BASED, IN WHOLE OR IN PART, ON INFORMATION CONTAINED IN A
8 REPORT RESULTING FROM A SEARCH OF NATIONAL, STATE, OR LOCAL CRIMINAL
9 JUSTICE RECORDS, THE DEPARTMENT, ON REQUEST OF THE APPLICANT, SHALL
10 PROVIDE TO THE APPLICANT A WRITTEN STATEMENT OF THE SPECIFIC
11 INFORMATION FROM THE REPORT ON WHICH THE EMPLOYMENT DECISION WAS
12 BASED.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2003.